(3) THE MADRAS PROHIBITION (SECOND AMENDMENT) BILL, 1949 (L.A. BILL NO. 41 OF 1949).

THE HON. SRI N. SANJEEVA REDDI :—" Mr. Deputy President, Sir, I move—

' *that the Madras Prohibition (Second Amendment) Bill*, 1949 (*L.A. Bill No.* 41 *of* 1949), *as passed by the Legislative Assembly, be taken into consideration at once.*'

" Sir, the purpose of the Bill is this. When an offence under the Prohibition Act is committed and the case brought before a Magistrate, the prohibition officer is asked by the Magistrate to give out the name of the informer and that is causing a lot of difficulties. When the Excise officers were in charge of prohibition they were exempted as revenue and police officers from giving the names of the informers, but now the names of informers have to be revealed in courts and this results in our not getting any information about such offences and at the same time the informers are exposed to very great hardships and the risk of being attacked by the people who commit the offence. It is to avoid such a contingency that we have brought forward this amending Bill and I hope that the House will accept it."

THE DEPUTY PRESIDENT :—" The motion is—

' that the Madras Prohibition (Second Amendment) Bill, 1949 (L.A. Bill No. 41 of 1949), be taken into consideration at once'."

The motion was carried.

Clauses 2, 1 and the Preamble were put and carried.

THE HON. SRI N. SANJEEVA REDDI :—" Sir, I move—

' *that the Bill be passed into law* '."

THE DEPUTY PRESIDENT :—" The motion is—

' that the Madras Prohibition (Second Amendment) Bill, 1949 (L.A. Bill No. 41 of 1949), be passed into law '."

MRS. MONA HENSMAN :—" Mr. Deputy President, Sir, I do not know whether it would be in order to raise this point, but I trust that your generosity will let me touch on two things in this Bill. It seems to me to be a very rare precedent for the Hon. Minister to introduce a Bill without ever giving notice of it however well-meaning it may be. And secondly this Bill provides that the name of the informant need not be made public in a court, because there might be something hidden and something very secret, which should not come out into the open before a court. But you will remember, Sir, that in 1929, when the Sarda Act was passed, it was provided therein that not only has the name of the informant to be published and filed before the officer to whom the information is given, but that a sum of money should also be deposited, very much to the detriment in many cases of the informant, whether it be an association or an individual and then only the case is to be enquired into. But here it seems that it is the wish of the Government not to force the informant's name

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being given out before a magistrate by the prohibition officer. So a person, if he wants to give any information about an offence committed by any other person under the Prohibition Act, should come before the prohibition officer and give out the information without giving his name. It is as good as an anonymous letter; or the Government may adopt a spy system to detect such cases. But all the same, Sir, this amendment seems to me to be rather strange. I have very great respect for the Hon. Minister who has introduced this amending Bill. Probably he feels that this is going to make very great difference in the apprehension of crimes. Perhaps it may be a precedent to many other things and many other evils which in our country, we, up to now, have the sense to avoid."

* THE HON. SRI N. SANJEEVA REDDI :—" Sir, as I have already explained before, this is a simple Bill. Already the police are exempted from giving out the names of informers and the revenue officers are also exempted from this. During the pre-prohibition days, the excise officers also were exempted from giving out the names of informers. But now, considering the factions in the village, no person dares come forward to co-operate with the Government in the detection of crimes under the Prohibition Act by giving timely information, even if he is willing to do so, because he is afraid that his name would be given out in which case the other party would wreak vengeance against him. Therefore, to get the co-operation of the people who are willing to help the officers, we will have to protect them from people who endanger their lives and property. I know instances where haystacks have been burnt and property looted, because the persons concerned have laid information with the officers which led to the culprits being caught while they were illicitly distilling arrack. These informants have to be saved from the attacks of the distillers. Therefore, I have brought forward this amendment. We do not want to give the names of the informants, so that they may be saved from the high-handed action of the culprits. I do not know if this Bill can be compared to the Sarda Act, which the hon. Lady Member referred to. This is entirely a different matter. Therefore, I move that the Bill be passed into law."

12 noon.

THE DEPUTY PRESIDENT :—" The motion is—

'that the Madras Prohibition (Second Amendment) Bill, 1949 (L.A. Bill No. 41 of 1949), as passed by the Legislative Assembly, be passed into law'."

The motion was carried and the Bill was passed into law.

(4) THE MADRAS PROHIBITION (AMENDMENT) BILL, 1949 (L.A. BILL NO. 42 OF 1949).

THE HON. SRI N. SANJEEVA REDDI :—" Sir, I move—

'*that the Madras Prohibition (Amendment) Bill*, 1949 (*L.A. Bill No.* 42 *of* 1949), *as passed by the Legislative Assembly, be taken into consideration at once*.'

" The purpose of this Bill is to allow the Armed Forces to have their drinks through their military contractors, and that separate